

Statewide Independent Living Council
December 11 & 12, 2008
Prairie Freedom Center for Independent Living
Sioux Falls, South Dakota

BOARD MEMBERS PRESENT:	Ryan Green	Josia Fuerst	Betty Coon
	Grady Kickul	Larry Puthoff	Gaye Mattke
	Gary Wald	Vona Johnson	Laurie Timmer
	Mark Arneson	Jason Lorang	(representing
	Jamie Mack		Marilyn Kinsman)

BOARD MEMBERS ABSENT:	Betsy Valnes	Philomine Moran	Linda Biffert
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OTHERS PRESENT:	Vicki Kerkvliet	<u>DSU Staff:</u>	<u>Interpreters:</u>
	Jenneil Watkins	Denise White	Joan Hoffman
	Sharon Colome	<u>SILC Staff:</u>	Marlee Dyce
	Margot Burton	Shelly Pfaff	
	Matt Cain	Laura White	
	Ann Van Loan		

CALL TO ORDER: Chairman Ryan Green called the Statewide Independent Living Council meeting to order at 1:36 pm at the Prairie Freedom Center for Independent Living/Sioux Falls conference room.

WELCOME & INTRODUCTIONS:

- All in attendance were asked to introduce themselves.
- Matt Cain welcomed attendees to PFCIL and gave a brief history of the road to their acquisition of this great facility.
- Various group members acknowledged the contributions of the late Dick Hicks. He served on the SILC and many other boards, and he was a recognized and effective advocate on the state and national levels for all persons with disabilities.
 - Grady passed around Dick's obituary (copy attached).
- Ryan thanked everyone for coming and recognized those that traveled the farthest to get to the meeting.
- Meeting Protocol was reviewed.

AGENDA: Motion to approve the agenda – Made (M), Seconded (S) and Carried (C).

- MINUTES:** Motion to approve the September Meeting minutes – MSC.
- PUBLIC COMMENTS:** Mark Arneson commented on a letter he received from Senator Tim Johnson concerning medical benefits for persons with disabilities. He shared that he talked with Andrew Sterling, NAMI in DC, at a conference last week. Andrew explained that the reason they won't decouple Medical Benefits from Financial Benefits is because the Congressional Budget office says it would have a significant cost associated with doing so.
- DRS DIRECTOR'S REPORT:** **DIRECTOR'S COMMENTS:**
- SILC Housekeeping – SILC members who are representing a State governmental agency cannot vote. They are able to make and second motions.
 - We will be reviewing a lot of material during this meeting
 -
 - Section 713 of the Rehabilitation Act
 - State Plan for Independent Living (SPIL)
 - September Meeting Minutes
 - Section 705 of the Rehabilitation Act
 - Chapters 6, 7, and 8 of the RSA Final Monitoring Report
 - It is not our intention to overwhelm the SILC. We're seeking to clear up any misunderstandings from comments at the last meeting.
 - The Statewide Independent Living Council is not in jeopardy. They are in good standing with RSA.
 - From this point on all financial aspects of the awarding of Part B funding will be dealt with solely by DRS.
 - The RSA findings can be a beginning to explore a more meaningful direction and have a more significant impact in South Dakota.
 - This meeting started with the New Membership Orientation this morning, and the sole purpose of this meeting is to begin working as a whole to help redefine what is the SD SILC's role and how it can effectively carry out its legal responsibilities.
 - This meeting is a beginning, not the end of this conversation.
 - Our main purpose is to make the independent living services system better in South Dakota. Grady asked that

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members start thinking of ideas and suggestions that will be part of tomorrow's dialogue.

- Grady handed out a list for the following groups and their committee structures:
 - Board of Vocational Rehabilitation (BVR)
 - Board of Service to the Blind & Visually Impaired (SBVI)
 - Freedom to Work (FTW) Leadership Council
 - SILC
- He asked the group to start thinking on how we might want to restructure the SILC. For example, with DRS being the lead on awarding of Part B funds, they may no longer be a need for a SILC Budget Committee. Grady shared his appreciation for the past work of the Budget Committee, as well as the Funding Sub-Committee.
- Some possible committees might be:
 - State Plan
 - Outreach
 - Public Awareness
- By refocusing our committee the SILC will be concentrating more on their legal responsibilities within the Rehabilitation Act.

NDEAM (NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH) UPDATE:

- Grady, Ryan, Travis Arneson and Brooke Lusk participated on South Dakota Focus in October. It was a great opportunity to share a good message across the state. The group had a prepared agenda for the show, but as soon as the "call-in" portion of the program started, the conversation moved in a direction of responding to the callers' specific questions and comments.
 - We hope to participate again next October since annually October is NDEAM.
 - Some ask why only in October, and people are beginning to explore if there is a way to carry out similar awareness activities throughout the year.
 - SILC, Centers for Independent Living (CIL) are encouraged to be involved in local NDEAM events.

RSA FINAL MONITORING REPORT:

- Six Federal Reviewers from the Rehabilitation Services Administration (RSA) were on site for a week to review

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the vocational rehabilitation, independent living, supported employment services and independent living for older blind individuals program. A portion of the team also completed a review of Western Resources for disAbled Independence.

- The final report made several recommendations but there were no non-compliance findings.
- Both agencies, DRS and SBVI, have agreed to all of the RSA recommendations.
- RSA is on a three-year cycle for reviews, so SD won't be due for a similar review for 3 years.
- Now it is time for the DSUs and the SILC to begin making the recommendations a reality in SD.

ADLS CONSUMER SURVEY:

- This Medicaid waiver program has been renewed as of 06/01/07 for an additional five years.
- Many changes incorporated in the renewal resulted from an earlier waiver review, and they focus on increased quality assurance activities and focus. The SILC has already been asked to be a part of some of these activities, and Jamie Mack has agreed to be a liaison between the SILC and these efforts.
- Denise reported there are 110 individuals on the ADLS waiver, and 56 have completed and returned surveys. There will be follow-up with the individuals that have not yet responded. She is just beginning to analyze the data. It will be aggregated and shared with the SILC at a future meeting. A major focus of the survey is inquiring as to recipients interest in returning to employment, if they are not currently employed.
- A review of Home and Community Based Services (HCBS) assurances showed that the safety and welfare of individuals were being met.

MAWD TRAINING UPDATE:

- This is a new classification of Medicaid in South Dakota, which became available to eligible individuals who are working and who need access to Medicaid to continue being successful in employment.
- As of this time:
 - 200 have been screened
 - 49 persons have been approved.
 - 38 applications are in process

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- 39 have been denied
- 2 are appealing their denial decisions
- The program is close to hitting the Governor's expectations of 75 individuals on this program in the first year.
- There will be more education and training for various community agencies i.e., CILs in the future.

**DSBVI
DIRECTOR'S
REPORT:**

OLDER BLIND INDEPENDENT LIVING PROGRAM UPDATE:

- Sandy Neyhardt is the IL Specialist for the DSBVI – she is currently working on this program's annual federal report. Once the report is finished, it will be sent to SILC staff for distribution to SILC members.
- The number of applications are down from last year – 550 in FY06 and 480 in FY07.
 - There is some concern with trend of numbers going down based on a decrease in applications and eligibilities.
 - The Division and the Board of SBVI will continue to analyze trends i.e. possible contributors; staff turnover; territory realignment
- SBVI lost rehabilitation teacher position in Rapid City due to budget changes in FY07.
 - A recent retirement in their Sioux Falls has led to the hiring of Daniel Shuckneck for that position.
- Gaye disbursed and explained a territory map showing current coverage by SBVI rehabilitation teachers and counselors.

BOARD OF SBVI UPDATE:

- The Board is currently working to redesign the Consumer Satisfaction Survey instrument.
 - Alan Davis, SDSU, has been asked to look at existing data and make recommendations on survey changes.
 - Hoping to have the new survey instrument ready to go by September 30, 2008.
 - Exploring how we can improve services in our division. Currently we are focused on departmentalizing services based on funding streams and program descriptions. This can be confusing to consumers due to the different roles of field staff, rehab center staff and specialists as well

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as independent living vs. vocational rehabilitation. This is somewhat a disservice to our customers because it can be confusing to determine the role of those they work with and the ultimate goal of services.

- One main focus will be on what we are doing to serve transition age students, and how do these activities affect the outcome of these students.
- Public meetings need to be approached differently. The Board and Division are looking at pairing them with consumer organizations annual meetings or conventions. Past experience reflects higher participation rates when this approach is used. The National Federation of the Blind SD Convention is to be held May 15th and 16th, so we are looking at hosting a public meeting on the 16th or 17th. The Board supports a joint meeting with other entities if the opportunities arise.
 - Discussion followed on different avenues for hosting public meetings such as teleconferences or via video/audio network systems. People from all over the state have greater access to participating when technology is used and limited travel is involved.
- The “Visions Newsletter” is going to again be published, based upon consumer requests.
- The Third “Focus On Success Conference” will be held September 30th- October 2nd at the Ramkota in Sioux Falls. It is in the planning stages, and we are expecting a huge turnout. Everyone was invited to participate. A more formal announcement will come out in the spring.

**DRS IL
PROGRAM
SPECIALIST
REPORT:**

FY08 BUDGET UPDATE:

- After distributing the November 28, 2007 SFY2008 SILC Budget report, Denise reported there is \$365,338 left in the IL Part B Funds which is approximately 30% of the total budget remaining.
 - Looking at the HMAD program, approximately 2/3 of this budget is still available.
 - Grady added that this will be the last time that the SILC will see this report in its current format. Based on RSA recommendations future reports may look very different – a part of upcoming dialogue.

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704 REPORTING SOFTWARE UPDATE:

Denise asked Gary Wald to report on this item.

- OIL and WRDI are up and running with the software.
- PFCIL was due to have training in November, but it was cancelled; expect to have training this month.
- NAAP has had training and expected to begin entering data starting the 1st of the year.
- All four centers should be up and running with the software by January 1st and they will be entering data for the entire fiscal year.
- So far everyone using the software seems to be happy with it

POLICY ON SERVING CONSUMERS STATEWIDE:

- As a result of the RSA review and resulting conversations, the DSU is working on a draft of an independent living policy, which would allow people to receive IL services from the CIL of their choice. Once a draft has been finalized, it will be sent out to SILC members and CILs for their comments prior to any action being taken on it.

HMAD/TAD SURVEY:

- DRS completed a survey of a sample of HMAAD and TAD cases. Preliminary results show:
 - average number of days a case was open was 111
 - average number of face to face contacts was 2
 - average number of phone contacts was 5
 - average cost of each case was \$1,411
- DRS will be looking more closely at the survey results as it continues to explore how these services fit within the IL services system in SD.

SILC EXECUTIVE SECRETARY REPORT:

NCIL MEMBERSHIP RENEWAL:

- The SILC's 2008 annual membership dues with the National Council on Independent Living (NCIL) are due - \$1,001
- Discussion followed on the benefits of NCIL membership.
- Motion to renew the SILC's NCIL membership – MSC.

2008 SILC CONGRESS:

- Information was sent to SILC members earlier. They have sent representatives in the past, but not every year. The registration deadline was yesterday. If the SILC is interested in sending a representative, they need to

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decide today.

- The Conference is to be held in New Orleans – January 25-28, 2008.
- Discussion was held on the importance of sending a SILC representative. The SILC decided to not send representation to the 2008 SILC Congress.

**DIALOGUE
RESULTING
FROM RSA
MONITORING
REPORT:**

**#1: THE SILC IS AT A CROSSROADS. IT IS TIME FOR THE
SILC TO REFOCUS AND GO IN A DIFFERENT DIRECTION.**

- Instead of spending so much time and focus on the budgetary aspect of services, the SILC should be concentrating on how we can make sure that people with disabilities are getting the best IL services.
- Highlighted the duties of the Council in accordance with Section 705 of the Rehabilitation Act.
- Discussion followed on the opportunities contained within these duties, including how South Dakota currently utilizes Part B funds in support of SILC activities, especially activities related to carrying out of the SILC's statutory duties.
- SILC members were asked to think and give feed back on these topics.
- We're at the beginning of the process.
 - It is important that we fulfill our obligations and responsibilities
 - DRS is responsible for awarding of Part B funds, and the Division will make sure there is a budget to support whatever activities the SILC decides it needs to carry out to fulfill its responsibilities.
 - It is a relief to be able to look at our responsibilities and recognize the SILC is not responsible for awarding the Part B funds and thus doesn't need to spend as much time and energy on this area.
- The SILC Executive Committee asked staff to begin some research on other states' SILCs – their activities and budgets. Some of the states examined were: Iowa, Maine, Oregon, Kansas, Nebraska and Montana. Some comments made on the shared information were:
 - It was good to see facts on paper.
 - It would be beneficial to see the SD SILC's facts reported in a similar fashion and how they compare

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- to other states.
 - This may help us determine where to start.
 - Each state had a public awareness and education built into their activities.
- There was also conversation about where funds might come from to carry out the SILC's responsibilities and activities.
 - It is difficult to feel bad about the majority of funds going to hard services. Would not want to see monies diverted from services to public relations.
 - It was reaffirmed that there is no intention on the part of any of the SPIL signatories to take existing dollars directed to IL services out of CIL budgets for use in supporting SILC activities.
 - Reverting back to the question of How Does SD utilize Part B Funds in support of SILC activities:
 - Get out the Vote Campaign
 - Collaboration
 - Youth Leadership Forum
 - What do we look at as our purpose? What is a good starting point:
 - Better perform duties
 - There is no intention to cut services
 - Examine how many SILC responsibilities are actually done through CILs that are not credited or reported.
 - This is not a dialogue that will end today.
 - We will continue the dialogue tomorrow, and beyond, when SILC members have had time to think about the information reviewed today and prior conversations.
 - The RSA Monitoring Report will be a good guide for the SILC as it forms our new direction and activities, and one recommendation was to have them provide technical assistance to the SILC. It may be time to pursue this option.

#2: DISCUSSION ON HOW THE SILC REDEFINES ITS ROLE AND RESPONSIBILITIES AS SET OUT IN THE REHABILITATION ACT.

- Conversation is a solid start
- Collaboration with other groups is critical
- Coordination with other states would be a possibility

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- Start with issues identified in the Federal Review
 - RSA made it very clear that DRS is responsible for Part B Distributions.
 - Understanding that Funding and Budget is not the role of SILC.
 - DRS independently of the SILC will deal with funding of CILs. As a result a proposed new SILC budget reporting form was handed out.

#3: HOW WILL THE SPIL SIGNATORIES RESPOND TO THE FOUR ISSUES NOTED ON THE FINAL RSA MONITORING REPORT?

- All believe and understand this is where the SILC needs to go in the future.
- A handout was shared showing how other similar committees were structured - BVR, BSBVI, FTW, and SILC.
 - SILC is the only one that has a budget committee
 - Need to keep the State Plan/Advocacy Committee
 - Executive Committee critical so they can take care of SILC business in between quarterly meetings.
 - Use of sub-committees, as needed, is important piece. Small groups can accomplish more than trying to get work done by the larger group.
 - SILC bylaws have not changed since 1995. As the SILC restructures itself, important to make appropriate related changes within the bylaws.
- The Chair asked for any SILC comments or reactions on the topic before them.
 - May be feeling a bit overwhelmed. It is a doable task if we break it down into steps and make a plan to complete them.
 - This could be a positive move if it is a team approach. It is important that whatever is done doesn't result in one CIL being pitted against another, as it has felt in the past.
 - Bottom line is our consumers. Collaboration, Coordination and Communications – that is what we need to do.
 - Believe we are on the right track and that the change will be beneficial.
 - Commended the group on their ideas.
 - Excited for change – change is a good thing.

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- Not our intention to overwhelm.
- Important to continue this conversation in future meetings.

ADJOURNMENT FOR THE DAY: Motion to adjourn for the day – MSC. Meeting was adjourned at 4:47 pm. – it will reconvene at 8:30 am tomorrow.

CALL TO ORDER: Chairman Green called the Statewide Independent Living Council meeting to re-order at 8:30 am in the Prairie Freedom Center for Independent Living conference room

INTRODUCTION S/MEETING PROTOCOL: Ryan welcomed everyone back and reminded the group of the protocol that would be followed throughout the meeting.

PUBLIC COMMENT None

CONTINUATION OF DIALOGUE: Grady asked the group to think of where we can go in the future and how we can get there. The floor was opened for comments.

- Need to start with training and education.
- It is hard to make a plan when we don't know where we are going.
- Committees are needed and need to be reconfigured based upon new focus.
- Need to look at utilizing a new instrument to measure customer satisfaction. The results seem to always come back as 99% satisfied – not realistic findings; not asking the right questions.
- Consensus that the SILC will start with education i.e., IL 101. It is imperative that all IL network members start with the same foundation.
 - Suggested to bring in Bob Michaels of ILRU into SD to provide this training.
 - There is value in having someone from outside the state or the system to facilitate this type of training.
 - DRS and SILC staff will look into Bob Michaels availability for the next SILC meeting.
 - After much discussion it was agreed the planned training must happen prior to other work being done

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in redefining the SILC's role and activities.

- Grady made a commitment that DRS will make monies available in support of this training. It is time to put action behind our words and for the SILC to make more of an impact.

**ASSOCIATION of
CILs REPORT:**

Ann reported that they didn't have an opportunity to meet so there was nothing to report.

**DSS NEWS and
ISSUES:**

Laurie Timmer, representing Marilyn Kinsman, reported on the Executive Summary of - An evaluation of Long-Term Care Options for South Dakota Final Report:

- Growth in the elderly population is going to fuel a rising demand for services.
- Starting to hit the retirement age for baby boomers.
- This issue is being addressed throughout the State to assure quality living options for our growing elderly population.
- It is crucial that the delivery of services is continually examined as more and more elderly are seeking to remain in their own homes with support of in-home services.
- Nursing Facilities are exploring a "cultural change". A pilot project for neighborhood wings is in the making. The concept is that residents live in a "neighborhood" – they receive care from the same staff members; creating a more familiar and less stressful experience – everyone knows each other in our neighborhoods.
- Residents Choice is also another positive change in nursing facilities. It is a resident decision making model. Residents choose what they want to eat and when. They have choices of several times for breakfast, brunch, lunch snacks, dinner and evening snacks. This gives residents more control of their own lives and the dignity to decide for him or herself.
- Exploring ways to further enhance the "golden years." Just because we are aging doesn't mean that we have lost our ability to decide for ourselves what is right and feels good to us.
- The next 10-15 years will be difficult due to the aging of baby boomers.
- Long-Term Care Partnership Program is a start on

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awareness directed towards pre-retirement age individuals to help them in planning for their future (distributed a Long-Term Care Partnership Program Fact Sheet).

- DSS continues to work with Avera Healthcare Systems regarding the possibility of providing step-down services for persons with traumatic brain injury (TBI). They are working with a nursing facility in Irene and an adjustment training center in Yankton to develop these services.
- There will be an open house at Sunset Manor on December 20th to share information about this initiative. The Brain Injury Alliance of SD and Coalition continue to be in close contact with DSS about this initiative.
- Referenced the Freedom to Work Brochure on Personal Assistant Services available at the worksite. DSS/Adult Services and Aging is working with the Freedom to Work Project on these services. DSS staff can assess a person's need for these services. Currently there is only one person on the program; if anyone knows of others who may benefit from these services, they can be referred to any local DSS/Adult Services and Aging office.

SDHDA News and Issues:

Vona reported:

- Annual housing conference was last month; one session was based on the book "Bridges out of Poverty" – eye opening and generated much thought. The session helped with ideas on how to relate to people in different social classes – the most important we must do is build a relationship first.
- March 4th and 5th is the 3rd Annual Homeless Conference in Chamberlain.
 - Main focus this year will be on conditions that put people into homelessness.
 - More information posted at <http://sdhda.org>
Sending out a mailing in January.

CIL REPORTS:

OIL:

Gary Wald, Executive Director, reported

- Have served 300 consumers in the first quarter of the fiscal year.

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- All of the HMAD money has been allocated
- New 704 reporting software is up and running and doing what had been hoped of it.
- Eric Vetter has resigned to work full time in real estate; it is going to be tough to fill his shoes.
- Troy Frock has resigned and moved to Sioux Falls.
- Our new Board Chairman is Steve Aman.

PFCIL

Matt Cain, Executive Director, reported:

- They held an open house at the new facility on November 9th. There were over 200 people in attendance. It was also a great way to recognize our staff and create more visibility throughout the community.
- Participated in the Operation Smile Fund Raiser with HyVee. It was a great opportunity to raise money (\$1,200) and not have to do anything.
- Staff and Board Recognition events were held earlier.
- Long time advocate Glenn Klemme had a stroke 12 weeks ago and unfortunately won't be able to return to work. He will be missed, and we wish him a speedy recovery. This is the first staff turnover PFCIL has had in well over a year.
- Working with NCC PVA on a facility review at Augustana College; it's almost completed.

WRDI

Ann Van Loan, Executive Director, reported:

- HMAD funds have been allocated/spent.
- Held an open house on November 14th – good turnout for this event.
- Sent out 400 appeal letters for donations
- Received a SD Community Foundation grant for start-up of program for transition-age students.
- Sent letters to state senators and representatives from our service area discussing our services and seeking a time to meet with them.
- Currently have a vacancy for an Independent Living Specialist for the Pierre area.
- Sent out a needs assessment and the top five needs identified in Rapid City are:
 - 1) Housing
 - 2) Healthcare/Prescription Drug/Health Insurance
 - 3) Transportation

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- 4) Referral Services
- 5) Identify people who fall through the cracks.

**OTHER
BUSINESS:** None

**FUTURE
ACTIONS:** SCHEDULING OF NEXT MEETING:
The next meeting will be scheduled based upon the availability of Bob Michaels for IL 101 training.

ADJOURNMENT: Motion to adjourn the meeting – MSC . Meeting was adjourned at 10:48 am